

# **EXHIBIT A**

U.S. v. DUMAKA HAMMOND

CR-16-102-JD

MOTION TO SUPPRESS STATEMENTS



## FEDERAL BUREAU OF INVESTIGATION

Date of entry 07/28/2015

A search warrant, issued in the United States District Court for the Northern District of California on July 16, 2015, signed by US Magistrate Judge Maria-Elena James, was executed at 678 7th Street, Unit A, Richmond, California on July 17, 2015. The purpose of the search was to seize evidence pertaining to the possession of child pornography. The following Special Agents participated in the search:

- Anastasia Cioni, FBI
- David W. Brown, FBI
- Kellie Mlaker, FBI
- Robert C. Basanez, FBI
- Po Lam, FBI
- Brian Lester, FBI
- Doug Hunt, FBI
- Ann Trombetta, FBI
- Jenny Feng, FBI
- Andrew Munn, FBI
- Eva Cha, USPI
- Aaron Doo, USPI

Contra Costa County DA Senior Investigator Darryl Holcombe, and FBI RCFL personal Penni Price and Beth Mauldin, also assisted in the search. Two marked units from Richmond PD were present during the initial service of the warrant.

At approximately 6:00 a.m., search personnel knocked and announced at the front door of 678 7th Street, Unit A, Richmond, California. The door to the residence was opened and Dumaka Hammond was observed approaching the door from the rear of the residence with a laptop in his hand. A protective sweep of the residence was conducted. [REDACTED] date of birth [REDACTED]

[REDACTED] date of birth [REDACTED] and [REDACTED]

Investigation on 07/17/2015 at Richmond, California, United States (In Person)

File # [REDACTED] 4 Date drafted 07/27/2015

by Kellie Mlaker

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FD-302a (Rev. 05-08-10)

[REDACTED]  
Search Warrant Execution at 678 7th  
Street, Unit A, Richmond, CA

Continuation of FD-302 of \_\_\_\_\_, On 07/17/2015, Page 2 of 2

[REDACTED] date of birth [REDACTED] were located in the residence.  
After the protective sweep, agents photographed the residence and then  
began their search.

The following items were seized:

1. Western Digital Hard Drive s/n WCANM2948582
2. Toshiba Laptop s/n ZC020274Q
3. Miscellaneous documents
4. Dell Laptop PP17L p/n HG158A03
5. HP Laptop s/n (s)TW00503752

At the completion of the search, a copy of the search warrant and FD-597  
Receipt for Property Seized was left with Dumaka Hammond. Exit photos were  
taken and agents vacated the property at approximately 8:30 a.m. A disc  
containing search photos, the photo log, all administrative paperwork, and  
a copy of the search warrant will be maintained in the 1A section of the  
file.

# **EXHIBIT B**

U.S. v. DUMAKA HAMMOND

CR-16-102-JD

MOTION TO SUPPRESS STATEMENTS

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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	CR 16-102-JD
	)	
Plaintiff,	)	DECLARATION OF DUMAKA
	)	HAMMOND IN SUPPORT OF MOTION
v.	)	TO SUPPRESS STATEMENTS
	)	
DUMAKA HAMMOND,	)	Date: September 8, 2016
	)	Time: 10:30 a.m.
Defendant.	)	
	)	

I, DUMAKA HAMMOND, hereby declare and state:

1. I am the defendant in this case. I am African-American.
2. On July 17, 2015, I was living in an apartment at 678 7th Street in Richmond, California. My mother, Mary Smith-Hammond, sister Chantel Toliver, and my fourteen year old niece were also staying at the apartment that day. The apartment has three bedrooms and is part of a lot with two other apartments.
3. Early that morning, I was in the bathroom when I heard banging on the door and someone yell, "Open up, open up, FBI search warrant." At that time, I was not wearing a shirt.
4. Someone had opened the door and when I came out of the bathroom, I saw at least six law enforcement officers in the doorway entering the apartment. At least one was a uniformed Richmond police officer; the others appeared to be from the FBI. I saw at least one of the

- 1 officers holding a gun.
- 2 5. I walked to the front porch and an officer handcuffed me. All my family members were on
- 3 the front porch of the apartment too, and all were handcuffed.
- 4 6. While we waited outside, the officers searched the house.
- 5 7. After five to ten minutes, the officers brought everyone inside, still handcuffed, into the living
- 6 room. The officers took the handcuffs off of my mom, sister and niece but kept mine on.
- 7 8. Officers interviewed my mother in her room, while my sister, niece and I waited in the living
- 8 room.
- 9 9. After approximately five to ten minutes, officers brought me into my bedroom and told me
- 10 we would talk there. The officers took off the handcuffs a few minutes after they brought me
- 11 into my bedroom.
- 12 10. My bedroom has one door. My bed was pushed against the wall opposite the wall that had
- 13 the door to the room. The door was closed.
- 14 11. When we entered the bedroom, I sat down on the bed. Agent Basanez sat on the bed next to
- 15 me for the interview. There were two other agents in the room, standing against the wall that
- 16 had the door on it. I could see that these agents were armed and had guns in their holsters.
- 17 If I wanted to get up and leave, they would have needed to move out of the way so I could
- 18 open the door.
- 19 12. The agents did not tell me about my *Miranda* rights before they started asking me questions.
- 20 Agent Basanez told me I was not under arrest and would not be arrested. He told me I could
- 21 leave if I wanted.
- 22 13. I did not feel free to leave. The number of agents and the way they handcuffed my family
- 23 scared and intimidated me. The agents clearly knew a lot of information about me, including
- 24 my status as a registered sex offender and my prior criminal record. They knew the name of
- 25 my computer. They kept telling me they knew I visited a child pornography website and that
- 26 I should cooperate with them.
- 27 14. Although they said I could leave, they also told me they were keeping my computer, which I
- 28

1 need to take with me to work. They told me to call in sick to work and tell my employer that  
2 I lost my computer because I was not going to get it back that day.

3 15. After 45 minutes, the agents said they were going to search my room and asked me to take  
4 them to my car. During the entire interview up to then, I was not wearing a shirt. Once we  
5 got up to go outside, they allowed me to put a shirt on.

6 16. I said I wanted to smoke a small cigar, and they allowed me to go outside. But they said they  
7 needed to have someone stay with me for their safety.

8 17. After I got a cigar from my car, I sat on the top step of my front porch smoking. Another  
9 agent stood on the bottom of the steps, blocking the gate to exit the apartment building. Other  
10 agents were coming and going in and out of the house.

11 18. As I was smoking, Agent Basanez asked me to give a written statement which he said would  
12 help me with the prosecutor. He told me the more I wrote, the better. I did what they asked  
13 and spent five to ten minutes writing a detailed statement. Agent Basanez did not tell me  
14 about my *Miranda* rights before he asked me to write a statement.

15 19. After we finished talking, I returned to the living room where I could see an officer near my  
16 sister and niece, who were still sitting on the couch. I went and sat with them until the agents  
17 finished searching the apartment, which took about another hour.

18  
19 I declare under the penalty of perjury the foregoing is true and correct.

20  
21 DATED: August 2, 2016

  
DUMAKA HAMMOND

# **EXHIBIT C**

U.S. v. DUMAKA HAMMOND

CR-16-102-JD

MOTION TO SUPPRESS STATEMENTS



**NORTHERN DISTRICT OF CALIFORNIA  
FEDERAL PUBLIC DEFENDER -  
OAKLAND**

**US v. Dumaka Hammond, 16-102-JD, FPD 2016-  
156/OAK**

[START RECORDING 150717\_001.MP3]

MR. DUMAKA HAMMOND: Right here, in my room.

SPECIAL AGENT ROBERT BASANEZ: You want to talk in your room?

MR. HAMMOND: Yes. This is the best place to talk.

SPECIAL AGENT BASANEZ: Okay, all right. Just give us a few minutes in here, okay. So, you know you're not under arrest, right?

MR. HAMMOND: Uh-huh.

SPECIAL AGENT BASANEZ: Okay. I think my supervisor mentioned that to you?

MR. HAMMOND: Yes.

SPECIAL AGENT BASANEZ: Okay. So, you know, at this point we really just want to talk to you, ask you a few questions, but I want you to make sure you understand that you don't have to answer many questions. That you can, you know, it would help us if you did, but you know, you're not going to be arrested today. And I don't want you to feel like you know, you're under arrest or anything like that.

MR. HAMMOND: Okay.

SPECIAL AGENT BASANEZ: Okay. I'm just

1 going to ask you a few routine questions just so  
2 we make sure we know who you are. Your name is  
3 Dumaka Hammond?  
4

5 MR. HAMMOND: Uh-huh.

6 SPECIAL AGENT BASANEZ: Okay. Your middle  
7 name is it Herbert or how do you pronounce your  
8 name?

9 MR. HAMMOND: Herbert.

10 SPECIAL AGENT BASANEZ: Herbert, okay. And  
11 you reside here?

12 MR. HAMMOND: Ye.

13 SPECIAL AGENT BASANEZ: Okay. And so is  
14 this 678 7<sup>th</sup> Street, Unit A or is it just 678 7<sup>th</sup>  
15 Street?

16 MR. HAMMOND: That's, I guess that's  
17 questionable because recently I actually went to  
18 the post office because I'm, I was trying to get  
19 a package delivered here so I could have them  
20 sign for it and be able to sign for it you have  
21 to sign up at the post office.

22 SPECIAL AGENT BASANEZ: Right.

23 MR. HAMMOND: And the post office has the  
24 letters B and C for 678, but not A.

25 SPECIAL AGENT BASANEZ: Right.

MR. HAMMOND: So, I'm not sure. It may be just 678 the whole thing and.

SPECIAL AGENT BASANEZ: Right.

MR. HAMMOND: We consider this A, though.

SPECIAL AGENT BASANEZ: Okay, okay. Who do you live with right in this house?

MR. HAMMOND: My mother, Mary Smith Hammond.

SPECIAL AGENT BASANEZ: Mary Smith. And there's a girl there, too, right?

MR. HAMMOND: Chantele, okay. So, Mary Smith and Chantele Smith stay here. Chantele Tolera, excuse me. The little girl, 13 year old Iyana is Chantele's daughter.

SPECIAL AGENT BASANEZ: Okay.

MR. HAMMOND: She comes, she goes to year around school, so she comes maybe every once every month or something like that.

SPECIAL AGENT BASANEZ: Okay. Okay. I'm just going to step out real quick, one second. So, are you currently married?

MR. HAMMOND: No.

SPECIAL AGENT BASANEZ: You're not married. How many vehicles do you own? Do you have any vehicles?

1 MR. HAMMOND: Yes, I have one vehicle.

2 SPECIAL AGENT BASANEZ: What kind of  
3 vehicle?  
4

5 MR. HAMMOND: It's a Smart Car.

6 SPECIAL AGENT BASANEZ: Smart Car.

7 MALE VOICE: Where is that?

8 MR. HAMMOND: It's actually right around the  
9 corner.

10 MALE VOICE: Really?

11 MR. HAMMOND: Yes.

12 MALE VOICE: What's it called?

13 MR. HAMMOND: It's a Smart Car.

14 SPECIAL AGENT BASANEZ: A little Smart Car.

15 MALE VOICE: Smart Car?

16 MR. HAMMOND: Uh-huh.

17 SPECIAL AGENT BASANEZ: I know you mentioned  
18 to my boss you have to go to work?

19 MR. HAMMOND: Uh-huh.

20 SPECIAL AGENT BASANEZ: What time do you  
21 need to?

22 MR. HAMMOND: I actually need to be there by  
23 - - so the thing is, that's what I'm saying, I  
24 was going to - - when I got out of the bathroom  
25 right when you guys called I was about to come

1 in here and get dressed and take myself gone.

2 So.

3 SPECIAL AGENT BASANEZ: Right.

4 MR. HAMMOND: So, I actually should be going  
5 now.

6 SPECIAL AGENT BASANEZ: Okay. Do you mind  
7 just talking to us real quickly?

8 MR. HAMMOND: No, I don't.

9 SPECIAL AGENT BASANEZ: Okay.

10 MR. HAMMOND: But I would need my laptop  
11 back, because that's my work computer.

12 SPECIAL AGENT BASANEZ: Okay, we'll get that  
13 back to you.

14 MR. HAMMOND: Okay.

15 SPECIAL AGENT BASANEZ: Do you have any  
16 medical conditions? Are you taking any  
17 medications for anything?

18 MR. HAMMOND: No.

19 SPECIAL AGENT BASANEZ: Okay.

20 MR. HAMMOND: I guess it is considered  
21 medication, yes, I am taking marijuana for back  
22 pain, for sciatica.

23 SPECIAL AGENT BASANEZ: Okay. And when was  
24 the last time you used marijuana for your  
25

1 medical purposes?

2 MR. HAMMOND: Yesterday.

3 SPECIAL AGENT BASANEZ: What time  
4 approximately?

5 MR. HAMMOND: About like 9:00.

6 SPECIAL AGENT BASANEZ: 9:00, okay. Are you  
7 feeling okay now? Are you feeling like there's  
8 any issues from that?

9 MR. HAMMOND: No.

10 SPECIAL AGENT BASANEZ: Okay. Who do you  
11 pay your internet bill to?

12 MR. HAMMOND: Comcast.

13 SPECIAL AGENT BASANEZ: Okay. And how many  
14 computers do you have here in the house? I know  
15 you've got that laptop?

16 MR. HAMMOND: I've got the laptop, my sister  
17 has a laptop, I think my niece has a laptop.

18 SPECIAL AGENT BASANEZ: Okay. And that's  
19 your work laptop?

20 MR. HAMMOND: Yes.

21 SPECIAL AGENT BASANEZ: And where are you  
22 working right now?

23 MR. HAMMOND: I work in San Francisco.

24 SPECIAL AGENT BASANEZ: Are you self-

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1 employed or do you work for a company?

2 MR. HAMMOND: No, I work for a company,  
3 Reverse Risk.  
4

5 SPECIAL AGENT BASANEZ: Okay. And I think  
6 you're a network administrator, is that?

7 MR. HAMMOND: I used to be. Right now I'm  
8 an installation engineer.

9 SPECIAL AGENT BASANEZ: Okay. Okay. What  
10 kind of work do you do?

11 MR. HAMMOND: We actually do analytics for  
12 car dealerships.

13 SPECIAL AGENT BASANEZ: Okay. Okay. That's  
14 kind of cool. Do you know why we're here today  
15 by any chance?

16 MR. HAMMOND: No.

17 SPECIAL AGENT BASANEZ: No idea?

18 MR. HAMMOND: I have no idea.

19 SPECIAL AGENT BASANEZ: Okay. Based on your  
20 past history that kind of has an indication of  
21 why we're here. You're you know.

22 MR. HAMMOND: I mean, yes.

23 SPECIAL AGENT BASANEZ: Conviction of child  
24 pornography.

25 MR. HAMMOND: Yes, okay.



1  
2 SPECIAL AGENT BASANEZ: I understand you're  
3 still registered sex offender, right?

4 MR. HAMMOND: Yes.

5 SPECIAL AGENT BASANEZ: But you're currently  
6 not on probation, is that correct?

7 MR. HAMMOND: No.

8 SPECIAL AGENT BASANEZ: Okay. Are you, when  
9 you're on the computer, your work computer, are  
10 you doing any child pornography stuff?

11 MR. HAMMOND: No.

12 SPECIAL AGENT BASANEZ: No? Okay. What  
13 about any other computers?

14 MR. HAMMOND: No other computer. I do, put  
15 it like this, the child pornography is out of my  
16 life, just because of the simple fact that I've  
17 been through therapy. I'm right now currently  
18 attempting to get this, get it expunged. So, I'm  
19 trying to stay away, well, not trying, I am  
20 staying away.

21 SPECIAL AGENT BASANEZ: All right. Well,  
22 here's the thing. We found a website and we  
23 found your information on that website.

24 MR. HAMMOND: Okay, now, what website is  
25 this?

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SPECIAL AGENT BASANEZ: Well.

MR. HAMMOND: Okay, now, let me, before you even explain. I have not put my information on any website.

SPECIAL AGENT BASANEZ: Right.

MR. HAMMOND: And you know, especially, and I don't know what type of website it was, but you know, the only website that I really put any information on, and I put limited information on it is Facebook.

SPECIAL AGENT BASANEZ: Right.

MR. HAMMOND: So.

MALE VOICE: When's the last time you viewed child pornography? I know you said you're working on going - -

MR. HAMMOND: I'd say maybe eleven.

SPECIAL AGENT BASANEZ: Eleven?

MR. HAMMOND: 2011, when I got arrested the first time.

MALE VOICE: Okay.

SPECIAL AGENT BASANEZ: The thing is that we know that your computer accessed a website that had child pornography. I mean, we know that. Otherwise we wouldn't be here, you know what I

1 mean?

2 MR. HAMMOND: Okay, and.

3 SPECIAL AGENT BASANEZ: Let me ask you.

4 MR. HAMMOND: That's what I am trying to  
5 say, what is website?

6 SPECIAL AGENT BASANEZ: Is your computer  
7 password protected?

8 MR. HAMMOND: Yes.

9 SPECIAL AGENT BASANEZ: It is encrypted?

10 MR. HAMMOND: No.

11 SPECIAL AGENT BASANEZ: Okay. You're  
12 running windows I take it, right?

13 MR. HAMMOND: Yes.

14 SPECIAL AGENT BASANEZ: I can tell you, I'll  
15 play the game with you. I would tell you the  
16 name of your PC.

17 MR. HAMMOND: Okay.

18 SPECIAL AGENT BASANEZ: You know what the  
19 name of your PC is?

20 MR. HAMMOND: Not really, but tell me.

21 SPECIAL AGENT BASANEZ: You don't know it?

22 MR. HAMMOND: No, because that's a work PC.  
23 That's a work computer, I'm saying.

24 SPECIAL AGENT BASANEZ: It says John RR.

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MR. HAMMOND: Okay.

SPECIAL AGENT BASANEZ: Dash PC.

MR. HAMMOND: Okay. That is one of the logins on there, okay.

SPECIAL AGENT BASANEZ: How would I know that?

MR. HAMMOND: Because.

SPECIAL AGENT BASANEZ: I've never met you.

MR. HAMMOND: I know what you're saying. I know what you're saying and I'm not saying, I'm not saying, I'm not saying anything. I understand how you would know that. But, I do not know how my information got to a website. Got to a porn website.

SPECIAL AGENT BASANEZ: I know, but I've got your case file, man.

MR. HAMMOND: I understand, I understand.

SPECIAL AGENT BASANEZ: You know what I mean?

MR. HAMMOND: I understand. Look, I'm not.

SPECIAL AGENT BASANEZ: So, I'm just looking for you to be a little honest with us. If you tell me right now that you looked at child pornography I'm not going to arrest you. Do you

1 believe me when I tell you that?

2 MR. HAMMOND: Not really, but.

3 SPECIAL AGENT BASANEZ: Why?

4 MR. HAMMOND: Let me tell you this. Let me  
5 tell you this. Because, because, because police  
6 do lie.

7 SPECIAL AGENT BASANEZ: I'm not the police.

8 MALE VOICE: Yes, we're not the police.

9 MR. HAMMOND: Oh, you guys are detectives.

10 SPECIAL AGENT BASANEZ: We're the FBI.

11 MALE VOICE: FBI.

12 MR. HAMMOND: Oh, FBI, okay. All right, all  
13 right, now I have downloaded the tour.

14 MALE VOICE: Okay.

15 SPECIAL AGENT BASANEZ: Right.

16 MR. HAMMOND: Now, when I found out that  
17 there is a lot of porn on there, a lot of child  
18 porn on there, I did get rid of it. That may  
19 have been the way that I got on there. I may  
20 have accidentally accessed one. But.

21 SPECIAL AGENT BASANEZ: What was the site  
22 that you accessed on tour?

23 MR. HAMMOND: I have no idea. I have no  
24 idea of the name.

1 SPECIAL AGENT BASANEZ: Okay. When you saw  
2 that, well, walk me through the Tor process. You  
3 downloaded the onion router?  
4

5 MR. HAMMOND: Uh-huh.

6 SPECIAL AGENT BASANEZ: And then you went on  
7 to tour. And then what did you find on there,  
8 like, what did, how did you find the site?

9 MR. HAMMOND: The first thing I found was  
10 the wiki and this was, this is like I said, no,  
11 this was '12, not 10, 12, no. When did I get  
12 out?

13 SPECIAL AGENT BASANEZ: I thought you didn't  
14 serve time?

15 MR. HAMMOND: I did. I did, too. I served a  
16 year.

17 SPECIAL AGENT BASANEZ: Oh, one year? That  
18 was on the second one?

19 MR. HAMMOND: No, okay, so when I first got  
20 arrested I did six months, I did, well, I was  
21 supposed to do the house probation.

22 SPECIAL AGENT BASANEZ: Right.

23 MR. HAMMOND: And then.

24 SPECIAL AGENT BASANEZ: And then they came  
25 back like three or four months later, right?

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MR. HAMMOND: Yes.

SPECIAL AGENT BASANEZ: Who arrested you the first time? Was it Santa Clara?

MR. HAMMOND: Yes, Santa Clara, and the second time was - -

SPECIAL AGENT BASANEZ: The SO or the PD?

MR. HAMMOND: I have no idea.

SPECIAL AGENT BASANEZ: Okay. And then the second time it was San Jose?

MR. HAMMOND: Yes, see, I think both those times was San Clara, anyway, so I'm sorry, my memory's kind of messed up. Okay. So, yes, I went to jail, went to therapy and everything, and then as I was going through therapy, this is true, as I was going through therapy after I got out of jail, I was viewing.

SPECIAL AGENT BASANEZ: Child pornography?

MR. HAMMOND: Yes, and then you know, going through the therapy and everything I did throw that out of my life. I got rid of it, you know what I mean. So, I mean, if you did check my computer there's nothing on there.

SPECIAL AGENT BASANEZ: But here's the thing, if, if, you know how computers work,

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1 right?

2 MR. HAMMOND: Uh-huh.

3 SPECIAL AGENT BASANEZ: So, if you go to a  
4 website, right, and then you delete it, you  
5 know, you see the child porn on there and then  
6 you delete it or whatever, it's still on there.  
7 You know that right?

8 MR. HAMMOND: Yes. Even if you don't save  
9 it to your computer?

10 SPECIAL AGENT BASANEZ: Right.

11 MR. HAMMOND: Okay.

12 SPECIAL AGENT BASANEZ: You know, and so  
13 when we do computer forensics, what are we going  
14 to find on your computer? You know what I mean,  
15 so that's why I want you to, I kind of want you  
16 to be really truthful here, because the more  
17 truthful you are the better it is for you in the  
18 long run, because what I'm going to do is I'm  
19 going to write a report, and you know, take my  
20 notes and write a report. And then you know, at  
21 the end of the day you know the people above me  
22 that make this final call, they're going to call  
23 me and say you know, what was this guy like? Was  
24 he honest, was he truthful? I'll be like the



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1 SPECIAL AGENT BASANEZ: All right, do you  
2 have a pen by any chance? Just grab one out  
3 there. We want to get through that quickly.  
4

5 MR. HAMMOND: Okay.

6 SPECIAL AGENT BASANEZ: Just write it down.  
7 So, it's 10M@ckmak10.

8 MR. HAMMOND: Uh-huh.

9 SPECIAL AGENT BASANEZ: And these are lower  
10 case?

11 MR. HAMMOND: Uh-huh.

12 SPECIAL AGENT BASANEZ: Okay. All right, how  
13 long have you been dating your girl?

14 MR. HAMMOND: About four months now.

15 SPECIAL AGENT BASANEZ: How did you meet  
16 her?

17 MR. HAMMOND: POF.

18 SPECIAL AGENT BASANEZ: POF.

19 MR. HAMMOND: POF.com.

20 SPECIAL AGENT BASANEZ: What's that?

21 MR. HAMMOND: PlentyofFish.com.

22 SPECIAL AGENT BASANEZ: Plenty of fish.  
23 Never heard of that site.

24 MR. HAMMOND: Really? It's a dating website  
25 and we, oh, man, she is beautiful. We are

perfect together, you know what I mean.

SPECIAL AGENT BASANEZ: Yes.

MR. HAMMOND: It's like, and this is what I'm saying, it's like she takes my mind off everything. I mean, it's like since I met her and this is, you know, I met her at the beginning of this year. Since I met her, you know, I've spent a lot less time on the computer, not saying and like I was, the story still stands that you know that I was, you know, viewing for a little bit of time while I was still in therapy. And then, you know, I quit that. But, you know, and then, you know, I still was, I guess, well, I still was viewing adult pornography. And I still was, you know, just like I guess maybe like trying to, like it had a hold in my space, like, you know, I need to fill that hole.

SPECIAL AGENT BASANEZ: Right.

MR. HAMMOND: She filled that hole. She filled that hole.

SPECIAL AGENT BASANEZ: Well, that's good, man.

MR. HAMMOND: Yes, I really appreciate her.

1                   SPECIAL AGENT BASANEZ:   So, you know, like  
2  
3 we got, I read a report about you that happened  
4 last year in February of 2014.

5                   MR. HAMMOND:   Really?

6                   SPECIAL AGENT BASANEZ:   Yes, and in fact,  
7 you wouldn't have known about this, because they  
8 never came back. They tried to talk to you, but  
9 they never came back, but, you know, just that  
10 you were kind of looking at some girls in the  
11 neighborhood.   Yes.

12                  MR. HAMMOND:   Wait, wait, somebody was doing  
13 surveillance on me or something?

14                  SPECIAL AGENT BASANEZ:   No, no, I guess you  
15 know, someone down the road was commenting that  
16 they saw you checking out some girls in the  
17 neighborhood.   So, it kind of freaked them out.  
18 But, you know, but you know here's the thing,  
19 you know, we know when you went on this website  
20 and we know how long you spent on the website.  
21 Okay.

22                  MR. HAMMOND:   Okay.

23                  SPECIAL AGENT BASANEZ:   And so, you know,  
24 when I say to you, when you said that you went  
25 on the child porn website, we know it was really

1 recent. It was more recent than years ago. You  
2 know what I mean?

3 MR. HAMMOND: Uh-huh.

4 SPECIAL AGENT BASANEZ: So, how recently  
5 have you been on that Tor website?

6 MR. HAMMOND: Okay.

7 SPECIAL AGENT BASANEZ: Do you know the name  
8 of it? I know the name of it.

9 MR. HAMMOND: No, I don't know the name of  
10 it. I don't know the name of it.

11 SPECIAL AGENT BASANEZ: I know the name of  
12 it.

13 MR. HAMMOND: I can tell you the most recent  
14 I've been on Tor and this was not Tor the  
15 website, but the most recent I've been Tor and  
16 actually it was so I could download movies.  
17 Most recent I've been on Tor was maybe probably  
18 March, I think.

19 SPECIAL AGENT BASANEZ: Okay. And when was  
20 the last time you went to that specific website?  
21 Because I know, I know this answer.

22 MR. HAMMOND: Yes.

23 SPECIAL AGENT BASANEZ: You know what I  
24 mean?  
25

1 MR. HAMMOND: Yes.

2 SPECIAL AGENT BASANEZ: So, I just want to  
3 know if you're going to be truthful or not?  
4

5 MR. HAMMOND: I honestly don't know. I will  
6 say, I will say to try to be truthful I will  
7 honestly say I think maybe April was the last  
8 time that I seen that website.

9 SPECIAL AGENT BASANEZ: Okay. And you don't  
10 remember the name of it?

11 MR. HAMMOND: No.

12 SPECIAL AGENT BASANEZ: Okay.

13 MR. HAMMOND: I don't remember the name of  
14 it.

15 SPECIAL AGENT BASANEZ: If I tell you the  
16 name will you remember?

17 MR. HAMMOND: Maybe. Probably so, probably  
18 so, because you know, it's just that you know.

19 SPECIAL AGENT BASANEZ: Playpen?

20 MR. HAMMOND: Playpen?

21 SPECIAL AGENT BASANEZ: Does that sound  
22 familiar?

23 MR. HAMMOND: No, it doesn't.

24 SPECIAL AGENT BASANEZ: I'm going to show  
25 you some screen shots and you let me know what

1 you think.

2 MR. HAMMOND: That does not sound familiar.

3 SPECIAL AGENT BASANEZ: So, this screen shot  
4 here is the log in screen. Does this look  
5 familiar to you?

6 MR. HAMMOND: No, no, no, it does not look  
7 familiar at all.

8 SPECIAL AGENT BASANEZ: Because the thing is  
9 I know, I even know what your username is.

10 MR. HAMMOND: And what's that?

11 SPECIAL AGENT BASANEZ: If I tell you will  
12 you tell me if I'm right?

13 MR. HAMMOND: Yes.

14 SPECIAL AGENT BASANEZ: Jerkjerk.

15 MR. HAMMOND: That is right.

16 SPECIAL AGENT BASANEZ: Okay. So, you use  
17 jerkjerk to log in to this website.

18 MR. HAMMOND: I use that to log into  
19 anything.

20 SPECIAL AGENT BASANEZ: Okay. But we also  
21 know you use it for this one.

22 MR. HAMMOND: Okay. Now, okay. I mean, I'm  
23 not going to say anything, because I'll probably  
24 be digging myself in a hole, but how long ago  
25

1 did you say I - - I swear I have not.

2 SPECIAL AGENT BASANEZ: Dude.

3 MR. HAMMOND: All right, all right.

4 SPECIAL AGENT BASANEZ: Here's the other  
5 thing. I know how many hours you spent on that  
6 site, man.

7 MR. HAMMOND: Okay. Okay.

8 SPECIAL AGENT BASANEZ: So, I know it wasn't  
9 just you know, that day.

10 MR. HAMMOND: Yes, and I know about  
11 computers. I know about - - it's not like, I'm  
12 not trying to lie to you. I'm not trying to  
13 just give you falsehood, you know what I mean.  
14 It's just that, it's honestly that I do not  
15 remember that site and like I said, yes, I guess  
16 the last time I was on there was maybe like  
17 April.

18 SPECIAL AGENT BASANEZ: Okay. Did you  
19 download anything from the site, or did you just  
20 browse?

21 MR. HAMMOND: I just browsed.

22 SPECIAL AGENT BASANEZ: Okay.

23 MR. HAMMOND: I've never download anything,  
24 just because of previous.  
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SPECIAL AGENT BASANEZ: Previous history?

MR. HAMMOND: uh-huh.

SPECIAL AGENT BASANEZ: Okay.

MALE VOICE: If you don't remember that site, what site do you remember going to?

MR. HAMMOND: What was it called? I remember something called scream.

SPECIAL AGENT BASANEZ: And that's a child porn site?

MR. HAMMOND: Uh-huh. Oh.

SPECIAL AGENT BASANEZ: And this is all on tour, right?

MR. HAMMOND: Uh-huh, girls hub.

MALE VOICE: Girls hub?

MR. HAMMOND: Uh-huh.

MALE VOICE: Like The Girls Hub, or just Girls Hub.

MR. HAMMOND: Just Girls.

MALE VOICE: Girls Hub.

SPECIAL AGENT BASANEZ: So, screaming and girls hub, okay. Those are the only two?

MR. HAMMOND: Uh-huh.

SPECIAL AGENT BASANEZ: And then playpen obviously.

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MR. HAMMOND: Yes, obviously.

SPECIAL AGENT BASANEZ: Okay, so what like, what are you into, I mean, in terms of when it comes to the child porn stuff, what is it that you're looking at? Are you looking at boys, girls, both?

MR. HAMMOND: Girls and let me, let me put this out here now. The thing with me with any type of naked body is not, I consider myself a self-proclaimed artist, and naked body viewing is for pose, for posing.

SPECIAL AGENT BASANEZ: Okay.

MR. HAMMOND: And - - you know, during the times that I was arrested the first time, I did get like a, I guess I could say, a like for younger girls bodies, because they were smaller. And so, it's nothing and you know like I said, I can get this verified from - - it's nothing to where I'm sexually attracted to any type of younger woman. It's more just like an affinity, you know.

SPECIAL AGENT BASANEZ: Right.

MR. HAMMOND: And.

SPECIAL AGENT BASANEZ: I like that,

1 affinity.

2  
3 MR. HAMMOND: Yes, now, you know, like I  
4 said, I have been battling with that and you  
5 know, Caprese has done a lot for me to get that  
6 out of the way. And like I say, just as well,  
7 my girlfriend, me being with my girlfriend has  
8 kept me away from it, too. That's another  
9 reason why I don't have much memory of the  
10 recent, because I've been spending a lot of time  
11 with my girlfriend.

12 SPECIAL AGENT BASANEZ: So, how long have  
13 you been going to Caprese?

14 MR. HAMMOND: I've been going to Caprese  
15 since I was let out, so I think it was 2012.

16 SPECIAL AGENT BASANEZ: Okay. Okay. How  
17 often do you see her?

18 MR. HAMMOND: Once a month.

19 SPECIAL AGENT BASANEZ: Okay. And who, you  
20 have to pay for that out of your own pocket?

21 MR. HAMMOND: I did, yes. Right now it's  
22 all voluntary, because I'm graduated.

23 SPECIAL AGENT BASANEZ: Oh, really, you  
24 don't have to pay for it?

25 MR. HAMMOND: Not anymore, because I've

1 graduated. So, I just go on a voluntary basis.

2 SPECIAL AGENT BASANEZ: Okay, okay. And  
3 then and how old is your girlfriend now?

4 MR. HAMMOND: My girlfriend is 27, excuse  
5 me, 37.

6 SPECIAL AGENT BASANEZ: Thirty-seven. How  
7 old are you?

8 MR. HAMMOND: I'm 38.

9 SPECIAL AGENT BASANEZ: Okay. When you're  
10 looking at the child porn, how young are the  
11 children? I mean, because I've seen it all. I  
12 mean, I've seen infants. I've seen you know,  
13 all the way up to 17.

14 MR. HAMMOND: Yes.

15 SPECIAL AGENT BASANEZ: What range spectrum  
16 are you in?

17 MR. HAMMOND: Right now, well, okay, when I  
18 was arrested the first time, I was, I was  
19 viewing all ages at that time.

20 SPECIAL AGENT BASANEZ: Okay.

21 MR. HAMMOND: Recently, I've been viewing  
22 I'd say maybe like 17, 18, what they would call  
23 jail bait.

24 SPECIAL AGENT BASANEZ: Okay, okay. So,

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1 more in the jail bait range, okay. So, when you  
2 know, when I do the forensics on that computer  
3 I'm going to go through all the stuff that  
4 you've seen. I mean, if it's outside of this  
5 age range, you know, I don't want to be  
6 surprised. I don't want to be like what the  
7 hell, you know.

8  
9 MR. HAMMOND: Oh, yes, you'll probably see  
10 something outside of that age range.

11 SPECIAL AGENT BASANEZ: Okay.

12 MR. HAMMOND: I mean, I don't honestly what  
13 you'll see, but yes.

14 SPECIAL AGENT BASANEZ: Is there any stuff  
15 like, you know, you know, torture or bondage  
16 with the kids?

17 MR. HAMMOND: No.

18 SPECIAL AGENT BASANEZ: Is there anything  
19 with kids and animals or anything like that?

20 MR. HAMMOND: No.

21 SPECIAL AGENT BASANEZ: Okay. Are you  
22 masturbating to this kind of stuff?

23 MR. HAMMOND: No.

24 SPECIAL AGENT BASANEZ: You don't masturbate  
25 to it?

MR. HAMMOND: No.

SPECIAL AGENT BASANEZ: Okay.

MR. HAMMOND: Like I said, no, it's more of an affinity trying, you know, just seeing the.

MALE VOICE: Did you used to previously?

MR. HAMMOND: Used to, yes. Previously.

MALE VOICE: But now, you just.

MR. HAMMOND: Yes, like I said, yes, because of what I went through, you know, it's like, it's really not worth it. And you know, even though this wasn't worth it either, you know, I, I honestly thought that, you know, for me not downloading it and not doing it so much, you know, for one, I did think I was you know one, assisting myself, not assisting myself, but you know, being better to myself for not downloading it, you know. And I don't know how long I was spending on there.

SPECIAL AGENT BASANEZ: Right.

MR. HAMMOND: I do not know that. But, you know, like when I was on there I would see, okay, what the hell am I doing, you know.

SPECIAL AGENT BASANEZ: Right.

MR. HAMMOND: And that's why I didn't

1 download anything.

2 SPECIAL AGENT BASANEZ: Right, right.

3 MR. HAMMOND: And so, you know, it's like.

4 SPECIAL AGENT BASANEZ: So, I mean, here's  
5 the thing.

6 MR. HAMMOND: Oh, no.

7 SPECIAL AGENT BASANEZ: Over a two to three  
8 month period you were on there for a long time,  
9 man.

10 MR. HAMMOND: Oh, no. So, I know what this  
11 means then.

12 SPECIAL AGENT BASANEZ: What?

13 MR. HAMMOND: I mean, well, I guess it  
14 depends on your report, but hopefully your  
15 report will reflect that, you know, I do have  
16 ambitions and I really, you know what I'm  
17 saying, this is not me. This is not me at all.  
18 And like you were saying about the people saying  
19 I was looking at girls. No. No.

20 SPECIAL AGENT BASANEZ: Okay.

21 MR. HAMMOND: And you know what I'm saying,  
22 you could ask like the neighbors right there. I  
23 do talk to them. I really don't know any other  
24 neighbors because I don't hang around around  
25

1 here. I'm usually in Hampert where I work. So,  
2 you know what I mean. And then my niece as  
3 well, you know what I mean.  
4

5 SPECIAL AGENT BASANEZ: Remember, remember  
6 in the beginning I said that I wasn't going to  
7 arrest you?

8 MR. HAMMOND: Yes.

9 SPECIAL AGENT BASANEZ: Do you believe me?

10 MR. HAMMOND: I believe you now.

11 SPECIAL AGENT BASANEZ: I'm not going to  
12 arrest you today. You believe that right?

13 MR. HAMMOND: I believe that.

14 SPECIAL AGENT BASANEZ: Okay. So, you know,  
15 here's the deal. A two month period you were on  
16 this website for over 160 hours.

17 MR. HAMMOND: Okay.

18 SPECIAL AGENT BASANEZ: So, that's a long  
19 time. That's not just stopping in.

20 MR. HAMMOND: Yes, that is a long time. See,  
21 now, okay, now to me that's what I thought, but  
22 you know, like this is what I was explaining  
23 that you know, I don't know how many hours I  
24 spend on there. And you know, for a person  
25 viewing anything, you know, time does fly. So,



1 you know, man.

2  
3 SPECIAL AGENT BASANEZ: Right, right. Let me  
4 ask you another question here. If you were to  
5 put a percentage on how much you look at adult  
6 pornography and how much you look at child  
7 pornography, what would you say is it, 50-50 or  
8 are you more looking at child porn, more looking  
9 at adult porn?

10 MR. HAMMOND: I would honestly say because I  
11 do look at porn. I would honestly say that I  
12 look at adult porn much more than child porn.  
13 If anything, I would say, I would say, as of  
14 now, as of the last two months I would say 100%  
15 adult, but for, before that.

16 SPECIAL AGENT BASANEZ: But we know that's  
17 not true, right.

18 MR. HAMMOND: For the last two months?

19 SPECIAL AGENT BASANEZ: The child porn?

20 MR. HAMMOND: The last two months I have not  
21 looked at child porn for the last two months.

22 SPECIAL AGENT BASANEZ: Okay.

23 MR. HAMMOND: Oh, what I was saying is yes,  
24 I would say 60-40, because I do look at adult  
25 porn a lot more.

1 SPECIAL AGENT BASANEZ: Okay, so the last  
2 time you looked at child porn was in April?

3 MR. HAMMOND: I think so, yes.

4 SPECIAL AGENT BASANEZ: Okay.

5 MR. HAMMOND: And like I said, it wasn't  
6 specifically the last - - it wasn't specifically  
7 for child porn. It was to get on the Tor  
8 website.

9 SPECIAL AGENT BASANEZ: To download movies  
10 and stuff.

11 MR. HAMMOND: Yes, but and also programs and  
12 stuff like that.

13 MALE VOICE: How do you find that stuff on  
14 tour? Like if you're looking for movies?

15 MR. HAMMOND: There is a wiki.

16 MALE VOICE: There's a wiki?

17 MR. HAMMOND: Uh-huh.

18 SPECIAL AGENT BASANEZ: What's it called?

19 MR. HAMMOND: The Tor wiki.

20 SPECIAL AGENT BASANEZ: Okay. And on the  
21 Tor wiki what do you put in there? Like how did  
22 you find, how did you find - -

23 MR. HAMMOND: So, it's, it's like a page  
24 with a list of - -  
25

1 SPECIAL AGENT BASANEZ: It's like google,  
2  
3 right?

4 MR. HAMMOND: No, it's a list page with list  
5 of links.

6 SPECIAL AGENT BASANEZ: Okay.

7 MR. HAMMOND: And then so, you can, I mean,  
8 usually, some links have descriptions, some  
9 links don't. You just click on those links and  
10 then you, they'll bring you to a site. They'll  
11 bring you to a site, and you know, sometimes,  
12 some don't have any.

13 SPECIAL AGENT BASANEZ: So, it would say on  
14 there like, you know, preteen hardcore or  
15 something like that?

16 MR. HAMMOND: No, that's what I'm saying.  
17 That's what I'm saying. It would be, there  
18 would, it's like a long list of links. Just the  
19 numbers, letters and you click on each one to  
20 see you know if you like whatever.

21 SPECIAL AGENT BASANEZ: But you don't know  
22 what you're clicking on right?

23 MR. HAMMOND: No.

24 SPECIAL AGENT BASANEZ: So you click on it,  
25 it could be cars?

1 MR. HAMMOND: Yes. It could be anything.  
2  
3 Could be cars, it could be sometimes they even  
4 have like advertisement for services where you  
5 can have somebody killed.

6 SPECIAL AGENT BASANEZ: No kidding?

7 MR. HAMMOND: I mean, you've been on tour.  
8 I don't need this, I know you know this.

9 SPECIAL AGENT BASANEZ: Man, that's crazy.

10 MR. HAMMOND: I know you know this.

11 MALE VOICE: But the Tor wiki, though, don't  
12 you use it like the normal wiki where you have  
13 to put a term in?

14 MR. HAMMOND: No, no, that's what I'm  
15 saying.

16 MALE VOICE: So you just.

17 MR. HAMMOND: It's just a, I guess it's not  
18 a wiki. It's just a long list, it's called a  
19 wiki, but it's a long list of URLs, of the URLs.

20 MALE VOICE: Okay.

21 MR. HAMMOND: But, yes, I'm sure you do know  
22 that.

23 SPECIAL AGENT BASANEZ: So, you put, you  
24 click on a link it took you to scream?

25 MR. HAMMOND: Yes.

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SPECIAL AGENT BASANEZ: Okay.

MR. HAMMOND: And then I signed up for it and you know, with jerkjerk.

SPECIAL AGENT BASANEZ: Okay. So, you signed up for this one. You don't have to pay for this stuff, right?

MR. HAMMOND: No.

SPECIAL AGENT BASANEZ: Okay. And then girls hub you signed up, too?

MR. HAMMOND: Yes, wait, no, girls hub doesn't have a sign up.

SPECIAL AGENT BASANEZ: Okay, no sign up. And then playpen, you signed up for playpen?

MR. HAMMOND: Yes, yes.

SPECIAL AGENT BASANEZ: Okay. And you used jerkjerk for all of them?

MR. HAMMOND: Uh-huh.

SPECIAL AGENT BASANEZ: Okay. About how long would you say you were on scream, because I told you over a two month period we knew you were on there for 163 hours.

MR. HAMMOND: Yes.

SPECIAL AGENT BASANEZ: So, would you say close to the same or would you say you know a

1 lot more.

2  
3 MR. HAMMOND: Okay, 163 hours in two months.  
4 I'm just trying to figure it out. I could tell  
5 you this.

6 SPECIAL AGENT BASANEZ: Well, just go based  
7 on your memory.

8 MR. HAMMOND: Yes, that's what I'm doing.  
9 That's what I'm doing.

10 SPECIAL AGENT BASANEZ: Being on jerkjerk or  
11 on playpen.

12 MR. HAMMOND: The site I was on the most was  
13 the girls hub.

14 SPECIAL AGENT BASANEZ: Okay. So, you were  
15 on that the most.

16 MR. HAMMOND: I didn't really like the  
17 scream, because it, you know, I did create a log  
18 in, but I didn't like that because that, it was  
19 a lot of crazy stuff like urination and stuff  
20 like that.

21 SPECIAL AGENT BASANEZ: Did they, was it  
22 like torture pictures and stuff? I've never been  
23 on scream.

24 MR. HAMMOND: Description if yes.

25 SPECIAL AGENT BASANEZ: I've never been on

1 scream, so like what other stuff is on there?

2 MR. HAMMOND: Like I said, the description  
3 was torture, I didn't look at any of those.  
4

5 SPECIAL AGENT BASANEZ: Okay. And this was,  
6 this was all child porn, right? Child  
7 pornography only? Because I know playpen only  
8 had child pornography on it?

9 MR. HAMMOND: Yes, scream has child and  
10 adult porn.

11 SPECIAL AGENT BASANEZ: Okay. And girls  
12 hub?

13 MR. HAMMOND: It is, I think it's just, like  
14 jail bait, jail bait and child, I think.

15 SPECIAL AGENT BASANEZ: Okay. Jail bait and  
16 child, okay. Okay. I'm surprised you don't  
17 remember playpen, man, you were on there so  
18 long.

19 MR. HAMMOND: I seriously do not. I  
20 seriously do not remember that. I seriously do  
21 not. I don't remember the face or anything. I  
22 seriously don't.

23 SPECIAL AGENT BASANEZ: Okay.

24 MR. HAMMOND: I seriously don't. I mean,  
25 yes, I could give you all these other ones that

1 I was on and I could tell you truthfully I was  
2 on tour, but I do not remember that.

3  
4 SPECIAL AGENT BASANEZ: What's your password  
5 to, did you use the same password for these  
6 websites?

7 MR. HAMMOND: Uh-huh.

8 SPECIAL AGENT BASANEZ: What is the  
9 password?

10 MR. HAMMOND: Same as my laptop password.

11 SPECIAL AGENT BASANEZ: Okay, okay.

12 MALE VOICE: What other sites were you on on  
13 tour, child pornography type?

14 MR. HAMMOND: Those are the ones.

15 MALE VOICE: Just are the ones?

16 MR. HAMMOND: Uh-huh. And then, I guess it  
17 doesn't matter. I was going to - - I guess it  
18 doesn't matter anyway.

19 SPECIAL AGENT BASANEZ: Why - - like we  
20 don't know. We don't know all the sites, you  
21 know what I mean.

22 MR. HAMMOND: Oh, I understand, I'm speaking  
23 of the, I'm speaking of the regular sites on  
24 there, you know, saying that - -

25 SPECIAL AGENT BASANEZ: The dull ones?



1 MR. HAMMOND: No, like, like, like, just  
2 like.  
3

4 SPECIAL AGENT BASANEZ: Murder for hire?

5 MR. HAMMOND: Yes, the murder for hire.

6 SPECIAL AGENT BASANEZ: Well, tell me about  
7 that?

8 MR. HAMMOND: Because they had, I mean,  
9 because going through the list that they have  
10 like Murder for Hire sites. They have like  
11 credit card sites where you can get credit card  
12 numbers and things like that, money laundering.  
13 It is a dark world. I guess that was the  
14 attraction to that, to them, because I guess you  
15 know, you know, it advertises you know no one  
16 can get your IP address.

17 SPECIAL AGENT BASANEZ: Right.

18 MR. HAMMOND: And you know, so. I guess you  
19 know that gave me that security like, you know,  
20 okay, well, as long as I, as long as I don't  
21 download it or I don't, keep it to myself, don't  
22 download it, don't post anything, I should be  
23 cool, because I'm not, you know, I'm not going  
24 around messing with any kids or anything. No one  
25 should suspect me or anything.

1 SPECIAL AGENT BASANEZ: Right.

2 MR. HAMMOND: No, that basically was my  
3 thought, but you know, because I honestly did  
4 not want this to happen. I honestly did not  
5 want to escalate my previous arrest.  
6

7 SPECIAL AGENT BASANEZ: I got you. That  
8 makes sense. How long has your mom's friend been  
9 staying here?

10 MR. HAMMOND: My mother's friend?

11 SPECIAL AGENT BASANEZ: Your mom's here,  
12 right?

13 MR. HAMMOND: Yes.

14 SPECIAL AGENT BASANEZ: Her name is Mary.

15 MR. HAMMOND: It's my sister. My mother is  
16 Mary. My sister Chantele and my niece is Iyana.

17 SPECIAL AGENT BASANEZ: Okay, Chantele, how  
18 long has she been here?

19 MR. HAMMOND: Chantele has been here for  
20 about two years.

21 SPECIAL AGENT BASANEZ: Okay. And.

22 MR. HAMMOND: Two, three years, actually no,  
23 she moved in here right after I got out, about  
24 three years.

25 SPECIAL AGENT BASANEZ: Okay.

1 MALE VOICE: How did you find out about Tor.  
2  
3 I mean, how did that come into play for you, I  
4 mean, where did you first learn about Tor?

5 MR. HAMMOND: Well, I'm a computer  
6 technician, so I find out a lot of stuff about  
7 the net.

8 MALE VOICE: I mean, through other people,  
9 other colleagues that you meet or something, do  
10 they, do they put you onto it or tell you about  
11 it or word of mouth? Does it spread, like in  
12 your community of computer people does it kind  
13 of spread? Do people kind of share that hey,  
14 there's this network out there Tor, it's great  
15 for, it's a great place to look for stuff, not  
16 necessarily child porn, but anything?

17 MR. HAMMOND: Yes, yes, I'm trying to figure  
18 out how I got that, how I even came upon that,  
19 because I was working at Barracuda Networks when  
20 I found out about it.

21 SPECIAL AGENT BASANEZ: Do you want some  
22 water or anything like that?

23 MR. HAMMOND: Yes, please.

24 SPECIAL AGENT BASANEZ: Do you want to use  
25 the bathroom or whatever? I mean, I want you to

1  
2 feel comfortable. I mean, I don't want you to  
3 feel like you're trapped and we just closed the  
4 door for privacy.

5 MR. HAMMOND: That's all right. And then  
6 I'm glad you did, but that's all right. No, I'm  
7 cool. I am cool. I'm going to drive to work  
8 anyway. Okay. So, what I'm saying was yes,  
9 when.

10 SPECIAL AGENT BASANEZ: Barracuda Network?

11 MR. HAMMOND: Yes, when I was at Barracuda  
12 Networks, that's when I was staying in San Jose  
13 and, actually, no, that's not how I found about  
14 it, because when I was out there I got arrested  
15 on the P to P. That's something that I really,  
16 that's something I'm really blanking on. I do  
17 not know. If anything, if anything, because I  
18 do frequent, not want to say that. Okay, so  
19 have you guys ever heard of like, like Stumble  
20 Upon?

21 SPECIAL AGENT BASANEZ: No, never heard of  
22 that.

23 MR. HAMMOND: Okay. So, Stumble Upon is a  
24 website that stumbles through websites. So, you  
25 just click stumble and it just takes you to some

1 random different websites, whole bunch of random  
2 different websites. Now, I think, because I was  
3 on that for a while, so I think from that,  
4 that's how I came across the advertisement for  
5 Tor. I think.

6  
7 SPECIAL AGENT BASANEZ: Okay.

8 MR. HAMMOND: I'm not sure. I'm really not  
9 sure, because I can't remember. That was, I  
10 found Tor in 2011, so after I got out, but I  
11 just cannot remember.

12 SPECIAL AGENT BASANEZ: So, when you.

13 MR. HAMMOND: No, it was actually before I  
14 got out, because after I got out I didn't even  
15 have access to computer for a while. So, it was  
16 before I go out. I mean, so it was before I  
17 went in, but I just never used it until after, I  
18 believe. I don't know. I just can't remember  
19 the timeline.

20 SPECIAL AGENT BASANEZ: Okay. When did you  
21 install it on this computer here?

22 MR. HAMMOND: I've installed and uninstalled  
23 it several times.

24 MALE VOICE: Is it currently installed?

25 MR. HAMMOND: It is not currently installed.

1  
2 SPECIAL AGENT BASANEZ: So, you uninstall  
3 it. You install it and then uninstall it. Why  
4 do you do that?

5 MR. HAMMOND: Decisions in my head like  
6 saying okay, you don't need this on the  
7 computer.

8 SPECIAL AGENT BASANEZ: Right, it's like a  
9 temptation thing?

10 MR. HAMMOND: Exactly.

11 SPECIAL AGENT BASANEZ: Right, right.

12 MR. HAMMOND: Exactly. And you know, and  
13 that's like the, it's like you know, that's  
14 there. I mean, it's almost like saying hey, you  
15 know like swinging this in front of you, like  
16 you know, like hey.

17 SPECIAL AGENT BASANEZ: Coming out.

18 MR. HAMMOND: Yes, yes, yes, you know what  
19 I'm saying. So, that's why I try to delete that  
20 just to say, hey, you know, I don't need to be  
21 over in that area, because you know, not because  
22 of the fact that you know, well, actually  
23 because of the fact that there are so many other  
24 things that I can get into in that area. So,  
25 you know what I'm saying, like, I'm going to

1 stay away from that.

2 SPECIAL AGENT BASANEZ: Right. So, when was  
3 the last time you uninstalled it?

4 MR. HAMMOND: Maybe because I did some  
5 things like last week, maybe like last week. I  
6 think deleting the install thing, not just  
7 uninstalling, deleting the install thing.

8 SPECIAL AGENT BASANEZ: Oh, so just deleting  
9 the icon?

10 MR. HAMMOND: Yes, the install icon. So,  
11 the install file.

12 SPECIAL AGENT BASANEZ: Right.

13 MR. HAMMOND: Like when you download the  
14 install file, I deleted that install file, so I  
15 do not, so it should not be, it's not on my  
16 computer now. And I've deleted the install file  
17 is what I'm saying.

18 SPECIAL AGENT BASANEZ: Okay.

19 MR. HAMMOND: So, the last time it was  
20 installed, maybe the last time it was installed  
21 I'd say it was probably last month. Yes, I  
22 installed it, I think I uninstalled it last  
23 month.

24 SPECIAL AGENT BASANEZ: Okay. And you said

1 the main reason why you don't download it is  
2 because if you download it and you have it then  
3 you don't want to get in trouble basically?

4 MR. HAMMOND: No, that's not, no, no, no,  
5 that was the reason for downloading any files.

6 SPECIAL AGENT BASANEZ: Right.

7 MR. HAMMOND: From there. Not downloading  
8 Tor. Tor is not illegal.

9 SPECIAL AGENT BASANEZ: No, no, I'm saying,  
10 I'm not talking about Tor.

11 MR. HAMMOND: Oh, okay.

12 SPECIAL AGENT BASANEZ: I'm just saying like  
13 if you were to download like you don't, because  
14 back in the day you downloaded files?

15 MR. HAMMOND: Yes.

16 SPECIAL AGENT BASANEZ: Right, peer to peer  
17 files.

18 MR. HAMMOND: Yes.

19 SPECIAL AGENT BASANEZ: But now you're not.  
20 You're just basically browsing?

21 MR. HAMMOND: Yes.

22 SPECIAL AGENT BASANEZ: So, but there's  
23 links that you can download a video, right?

24 MR. HAMMOND: Yes.



1  
2 SPECIAL AGENT BASANEZ: So, how do you view  
3 the video if you don't download it, you know  
4 what I mean?

5 MR. HAMMOND: I use - - videos.

6 SPECIAL AGENT BASANEZ: Huh?

7 MR. HAMMOND: I don't view videos. I mean,  
8 I try not to view videos. I view pictures.

9 SPECIAL AGENT BASANEZ: Okay, so just okay.  
10 So, is that computer, was that purchased by you  
11 or your company?

12 MR. HAMMOND: The company.

13 SPECIAL AGENT BASANEZ: Okay.

14 MR. HAMMOND: That is my work computer.

15 SPECIAL AGENT BASANEZ: Okay. Do you have  
16 any other questions, because let me just find  
17 out what the status is? Give us one minute.  
18 Okay.

19 (background talking)

20 SPECIAL AGENT BASANEZ: I talked to them out  
21 there, we can't let you take the computer,  
22 because it's got possible child porn on it,  
23 because once you go to a site those images save  
24 on your computer.

25 MR. HAMMOND: Oh.

1  
2 SPECIAL AGENT BASANEZ: I don't know if you  
3 want to call work and tell them that you lost it  
4 or something. We'll try to get it as quickly as  
5 we can back to you.

6 MR. HAMMOND: Okay.

7 SPECIAL AGENT BASANEZ: But, there's just no  
8 way you know what I mean.

9 MR. HAMMOND: Yes.

10 SPECIAL AGENT BASANEZ: We have a warrant.

11 MR. HAMMOND: Yes.

12 SPECIAL AGENT BASANEZ: I'll let you look at  
13 the warrant, you know. But it's kind of, we're  
14 kind of jammed up there, you know what I mean.

15 MR. HAMMOND: Yes, yes, yes, maybe I should  
16 call in sick.

17 SPECIAL AGENT BASANEZ: Yes. You might want  
18 to.

19 MR. HAMMOND: Yes, I think, yes. Okay. So,  
20 I should get it back before Monday, though,  
21 right?

22 SPECIAL AGENT BASANEZ: I'm going to try.  
23 We're going to find out what's on there, but if  
24 we can't, just is there any way you can just  
25 tell them that you lost it or something? I

1 don't know.

2 MR. HAMMOND: I would have to. I would have  
3 to, then I would have to buy another one. But.

4 SPECIAL AGENT BASANEZ: Yes.

5 MR. HAMMOND: Okay.

6 SPECIAL AGENT BASANEZ: So, I just had a few  
7 last questions. When you're on Tor can you chat  
8 with people? Isn't there a thing called Tor  
9 chat or something like that?

10 MR. HAMMOND: Yes, I would never chat. I  
11 would never chat. Just because that, I feel  
12 that's putting myself out there a little too  
13 much.

14 SPECIAL AGENT BASANEZ: Right. So, you never  
15 like communicate with people on any of these  
16 sites?

17 MR. HAMMOND: Never.

18 SPECIAL AGENT BASANEZ: Do they have, do  
19 some of these sites have like an email feature  
20 where you can email people back and forth?

21 MR. HAMMOND: I have no idea, because I  
22 never use that.

23 SPECIAL AGENT BASANEZ: Okay.

24 MR. HAMMOND: I would, I never tried to

1 communicate with anybody, anybody in that  
2 community.

3  
4 SPECIAL AGENT BASANEZ: So, you never made  
5 any posts or?

6 MR. HAMMOND: No posts, no friends, nothing.

7 SPECIAL AGENT BASANEZ: Okay. Okay.

8 MR. HAMMOND: No downloads, no posts. No  
9 downloads or uploads, I can say.

10 MALE VOICE: Have you ever met anyone like  
11 in your everyday work that you just talked about  
12 Atore with? I mean, not necessarily child porn,  
13 but you just like hey, so you use Tor as well?

14 MR. HAMMOND: I feel like I'm the only one  
15 that knows about Atore in my circle. I'm the  
16 only one that knows about Atore. And then just  
17 as well, because, because of the darkness of  
18 Atore, I'm actually kind of afraid to even  
19 mention that to anyone I know. You know what I  
20 mean, like hey, you know hear of Atore. You  
21 know.

22 SPECIAL AGENT BASANEZ: Yes.

23 MR. HAMMOND: Then they probably be like no,  
24 what the hell is wrong with you.

25 SPECIAL AGENT BASANEZ: Okay. When you're

1 next appointment? When you're going to make your  
2 next appointment to see Candice?

3 MR. HAMMOND: Caprese.

4 SPECIAL AGENT BASANEZ: Caprese, right?

5 MR. HAMMOND: It's in my phone. My next  
6 appointment to see her is and this is a group  
7 session.

8 SPECIAL AGENT BASANEZ: Is that your  
9 girlfriend?

10 MR. HAMMOND: Yes, it is.

11 SPECIAL AGENT BASANEZ: Oh, wow, look at  
12 that.

13 MR. HAMMOND: Yes, that is, that's me and  
14 her, yes. Next one is the 6<sup>th</sup>, August 6<sup>th</sup>.

15 SPECIAL AGENT BASANEZ: Okay. Do you mind if  
16 we dump your phone real quick?

17 MR. HAMMOND: What do you mean?

18 SPECIAL AGENT BASANEZ: We're just going to  
19 basically just connect it to a machine and suck  
20 the information out. I mean, we have the  
21 authority to.

22 MR. HAMMOND: Go ahead.

23 SPECIAL AGENT BASANEZ: So, in case it  
24 locks, is there a pin number on here?  
25

1 MR. HAMMOND: It's actually a finger print.

2 SPECIAL AGENT BASANEZ: Right.

3 MR. HAMMOND: And it won't lock because  
4 actually I was trying to, I was yesterday I was  
5 trying to clean up my phone because you know  
6 there was a little bit of stuff in there. So, it  
7 was acting up. So, it's actually set up to not  
8 freeze for ten minutes, so you got ten minutes.

9 MALE VOICE: Okay.

10 SPECIAL AGENT BASANEZ: Do you want to hand  
11 that to Penny? What kind of stuff did you have  
12 on the phone? Do you have CP on there, too?

13 MR. HAMMOND: No. No, not at all.

14 SPECIAL AGENT BASANEZ: Okay.

15 MR. HAMMOND: Not at all.

16 SPECIAL AGENT BASANEZ: You've never used  
17 the phone to look at child porn?

18 MR. HAMMOND: Never.

19 SPECIAL AGENT BASANEZ: Can you even use Tor  
20 on a cell phone? Do you know?

21 MR. HAMMOND: I don't know. I kind of would  
22 doubt it, but I don't know.

23 SPECIAL AGENT BASANEZ: I don't think you  
24 can just because it's.

1 MR. HAMMOND: Just because of the way it is,  
2 yes, yes.

3 SPECIAL AGENT BASANEZ: You need that onion  
4 software.

5 MR. HAMMOND: Yes. I mean, but I'm sure  
6 there's some phones where you could download it  
7 to.

8 SPECIAL AGENT BASANEZ: Right.

9 MR. HAMMOND: Because I know you can get it  
10 like on a tablet, you know what I mean?

11 SPECIAL AGENT BASANEZ: Right. You don't  
12 have any tablets either?

13 MR. HAMMOND: No. All I have is that  
14 laptop. See, and that's the thing so when I got  
15 out of jail the first time since my laptop was  
16 confiscated.

17 SPECIAL AGENT BASANEZ: Right.

18 MR. HAMMOND: I just been using my work  
19 laptop.

20 SPECIAL AGENT BASANEZ: I got you.

21 MR. HAMMOND: Yes, so I haven't been able to  
22 purchase my own laptop just yet.

23 SPECIAL AGENT BASANEZ: They got to come  
24 search this room.  
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MR. HAMMOND: Okay.

SPECIAL AGENT BASANEZ: So, if you want maybe throw on a shirt and we'll go around the side and you can show me your car.

MR. HAMMOND: Okay.

SPECIAL AGENT BASANEZ: Is that cool?

MR. HAMMOND: That's cool. That is cool.

SPECIAL AGENT BASANEZ: You guys need to photograph this room, correct?

MALE VOICE: Yes.

SPECIAL AGENT BASANEZ: And then search it. So, he's going to get his shirt on and we're just going to go down around the corner on the side of the house.

MALE VOICE: You need to talk to him some more?

SPECIAL AGENT BASANEZ: I'm just going to talk to him a little bit about that.

MALE VOICE: - -

SPECIAL AGENT BASANEZ: Hammon's chocolate bars, where did you get this, man? Someone made that for you?

MR. HAMMOND: No, I went, I forgot exactly where I got it from.



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MALE VOICE: Can I talk to you one minute?

SPECIAL AGENT BASANEZ: Okay.

MALE VOICE: So, yes, they're working on the phone. Can I just get you to double check the password that you gave us. I think you wrote it down, but.

MR. HAMMOND: For?

MALE VOICE: Your laptop, for the laptop.

MR. HAMMOND: Okay.

MALE VOICE: 10M@ck - - is it mack or just mak?

MR. HAMMOND: Mak.

MALE VOICE: Okay.

MR. HAMMOND: This is capitalized.  
Everything else is lower case.

MALE VOICE: Just one second.

SPECIAL AGENT BASANEZ: Miami Heat, mam.

MR. HAMMOND: That's your team?

SPECIAL AGENT BASANEZ: That's my team.  
Give me one second. The desktop here, is that yours?

MR. HAMMOND: The desktop?

SPECIAL AGENT BASANEZ: Yes.

MR. HAMMOND: That's for the family.

**Ubiquis Reporting**

2222 Martin Street Suite 212, Irvine, CA 92612

Phone: 949-477-4972 FAX 949-553-1302

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SPECIAL AGENT BASANEZ: Okay.

MR. HAMMOND: It doesn't work.

SPECIAL AGENT BASANEZ: Okay. And your sister's? Did you use that at all?

MR. HAMMOND: No.

SPECIAL AGENT BASANEZ: Nothing?

MR. HAMMOND: Nothing.

SPECIAL AGENT BASANEZ: Because we don't want to take stuff we don't have to take. You know what I mean?

MR. HAMMOND: The only thing you have to take is the work computer.

SPECIAL AGENT BASANEZ: Okay. All right. Lets go outside real quick.

MR. HAMMOND: Sure.

SPECIAL AGENT BASANEZ: Just basically the warrant covers the fact that we can take all electronic devices, but like I already. Huh? Yes, they're in the room, yes. I just told them look, because your mom has an Ipad. We don't want to take your mom's Ipad. And I think your mom has a phone. We don't want to take that. Your sister has a phone too. We don't want to take that. We're going to try to not take your

1 sister's computer. We're going to run a  
2 software on it real quick just to check and make  
3 sure there's nothing on there. But it will speed  
4 up the process if you just tell us which  
5 computer you may have jumped on.  
6

7 MR. HAMMOND: The work computer.

8 SPECIAL AGENT BASANEZ: That's the only one?

9 MR. HAMMOND: That's the only one.

10 SPECIAL AGENT BASANEZ: Okay. And then.

11 MR. HAMMOND: And that's the one, and as you  
12 said, the computer and my log in, that's the one  
13 that has John RR.

14 SPECIAL AGENT BASANEZ: Okay.

15 MR. HAMMOND: That's my work computer.

16 SPECIAL AGENT BASANEZ: Why is it John RR?

17 MR. HAMMOND: Because my work computer, the  
18 RR is reverse risk, the company I work for.  
19 John is the coworker that had the computer  
20 before I did.

21 SPECIAL AGENT BASANEZ: Oh, I got you. Okay.  
22 And your log in name on that computer is maka,  
23 right? M-A-K-A or something?

24 MR. HAMMOND: Yes. That's the log in, but  
25 then yes, and I click on that and then put in my

1 password, yes.

2  
3 SPECIAL AGENT BASANEZ: Okay. And then the  
4 desktop, did you do anything on that? I mean,  
5 we're going to take it.

6 MR. HAMMOND: What do you mean?

7 SPECIAL AGENT BASANEZ: There's a desktop  
8 computer in the living room?

9 MR. HAMMOND: Oh, oh, no, no, no.

10 SPECIAL AGENT BASANEZ: No CP on there?

11 MR. HAMMOND: No CP at all.

12 SPECIAL AGENT BASANEZ: You never went to a  
13 website or anything?

14 MR. HAMMOND: No.

15 SPECIAL AGENT BASANEZ: Okay.

16 MR. HAMMOND: That computer's been, in fact,  
17 when I moved to, that computer's been here  
18 since, we used to live on that street so that  
19 computer's been there when that, when I was  
20 there. And then I moved to San Jose and that's  
21 when the case happened. The computer still has  
22 been in the house.

23 SPECIAL AGENT BASANEZ: Okay, okay. What  
24 else. We're going to dump your phone now.

25 MR. HAMMOND: Uh-huh.

1  
2 SPECIAL AGENT BASANEZ: Hopefully, I mean,  
3 no CP on that?

4 MR. HAMMOND: Nothing at all on that phone.

5 SPECIAL AGENT BASANEZ: So, we're going to  
6 dump that phone. Hopefully, we'll be able to  
7 leave it with you.

8 MR. HAMMOND: Okay.

9 SPECIAL AGENT BASANEZ: And then we got to  
10 take the computer, though.

11 MR. HAMMOND: Okay.

12 SPECIAL AGENT BASANEZ: You know what I  
13 mean.

14 MR. HAMMOND: Okay, and then like I said,  
15 come prepared, hopefully you'll get it back by  
16 Monday and then, yes, I'll just call in sick  
17 today or something.

18 SPECIAL AGENT BASANEZ: Do you need to make  
19 that call?

20 MR. HAMMOND: No, I don't have to be work  
21 until 9:00, so I got a little time.

22 SPECIAL AGENT BASANEZ: Okay, all right.  
23 Well, we're going to try to get out of here  
24 quickly. It's only, we'll try our best to get  
25 out of here, you know, because we don't want to

1  
2 inconvenience you and your mom and your sister  
3 and your niece. So, I'm just trying to think.  
4 Is there anything else?

5 MALE VOICE: No, I think that's, yes.

6 SPECIAL AGENT BASANEZ: So, I mean, you're  
7 obviously not a, going to be arrested, so if you  
8 need to go somewhere or you want to hang out,  
9 you know, the only thing is that we kind of, we  
10 want to get in and out real quick, so.

11 MR. HAMMOND: I'm going to stick around just  
12 to give you guys any assistance.

13 SPECIAL AGENT BASANEZ: Okay. We're just  
14 going to have somebody kind of hanging out with  
15 you just for our safety.

16 MR. HAMMOND: Okay.

17 SPECIAL AGENT BASANEZ: So, I don't know if  
18 you want to be inside? Do you want to be  
19 outside?

20 MR. HAMMOND: I actually was going to smoke  
21 right now.

22 SPECIAL AGENT BASANEZ: Okay. Not weed?

23 MR. HAMMOND: No.

24 SPECIAL AGENT BASANEZ: Are you going to  
25 smoke weed?

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MR. HAMMOND: No, no, but I do have a.

SPECIAL AGENT BASANEZ: I know, I know, but we don't, we kind of don't want that around here.

MR. HAMMOND: Oh, okay. I understand.

SPECIAL AGENT BASANEZ: Let me grab some - - real quick.

MR. HAMMOND: All right, hey, huh?

SPECIAL AGENT BASANEZ: Yes.

MR. HAMMOND: Because I do have like - - in my car. Do you want to walk around?

SPECIAL AGENT BASANEZ: Yes, yes, lets do that. What time do you usually get home from work?

MR. HAMMOND: - -

SPECIAL AGENT BASANEZ: You work 9:00 to 5:00, is that what you do?

MR. HAMMOND: Yes, yes, but see I work, the fact that I go to the gym after work, I usually don't get home to around like 6:25.

MALE VOICE: How do you like the Smart Car.

MR. HAMMOND: I just love it.

SPECIAL AGENT BASANEZ: I've never seen one of these.

1 MALE VOICE: It's so small and I'm like.

2 MR. HAMMOND: Yes, they.

3 MALE VOICE: - - like a sardine.

4 MR. HAMMOND: They're cool on the inside. I  
5 don't have the plastic. Damn it. Okay, so I  
6 guess I can't smoke. Oh, well.

7 SPECIAL AGENT BASANEZ: Do you mind if we  
8 check those thumb drives?

9 MR. HAMMOND: Sure.

10 SPECIAL AGENT BASANEZ: Nothing on there?

11 MR. HAMMOND: Sure, you can have everything  
12 single one of them. I got some more in the  
13 door, too. You guys can use that, because it's  
14 a lot of music.

15 SPECIAL AGENT BASANEZ: Oh, is that what you  
16 put your music on here?

17 MR. HAMMOND: Yes, I do. Nothing but music.

18 SPECIAL AGENT BASANEZ: This will be easy.

19 MR. HAMMOND: Yes.

20 SPECIAL AGENT BASANEZ: We'll do these in a  
21 minute. I never seen one of these cars, man.  
22 This is really cool.

23 MR. HAMMOND: Yes, it's comfortable. Like  
24 it's the front seat of a car, you know what I  
25



1 mean. So, it's not too small.

2  
3 SPECIAL AGENT BASANEZ: No one can fit back  
4 there. That's your truck, is that what that is  
5 back there?

6 MR. HAMMOND: Well, yes, yes, well, truck  
7 and then I put my bags and stuff back there. You  
8 can look in here. There's nothing in here.  
9 Nothing bad.

10 SPECIAL AGENT BASANEZ: You could, I mean,  
11 you could walk to the store right? There's a  
12 store right next door.

13 MR. HAMMOND: Yes, well, I just was making  
14 sure, because yes, you were saying that you  
15 wanted somebody with me.

16 SPECIAL AGENT BASANEZ: So, how much mileage  
17 do you get on this sucker?

18 MR. HAMMOND: 40 miles a gallon.

19 SPECIAL AGENT BASANEZ: Wow.

20 MR. HAMMOND: Yes. Forty miles a gallon and  
21 then look, and then like one of the - - it only  
22 takes about \$30 on, 91 grade fuel, \$30 to fill  
23 it up.

24 SPECIAL AGENT BASANEZ: Wow, you have to put  
25 91 or you just do that.

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MR. HAMMOND: Yes, you have to put 91.

SPECIAL AGENT BASANEZ: Oh. So you fill up gas like once every two weeks?

MR. HAMMOND: Once every two weeks, yes.

SPECIAL AGENT BASANEZ: That's pretty sweet.

MR. HAMMOND: Yes. Well, it's actually okay. So, it's once every two weeks if I'm not to Hanford. If I'm going to Hanford it's about a half a tank of gas.

SPECIAL AGENT BASANEZ: Where's Hanford?

MR. HAMMOND: It's about an hour south of Franklin. That's where my girlfriend lives, an hour south of - -

SPECIAL AGENT BASANEZ: Wow, man, that's.

MR. HAMMOND: It's worth it, though, I'll tell you that. That trip is worth it. I was going to take that trip today and it is worth it. I love that girl. I love that girl.

SPECIAL AGENT BASANEZ: Do you spend the weekends with her?

MR. HAMMOND: Yes. She spends the weekends with me. I spend the weekends with her, yes, in fact, last time I seen her was she came up here on, from Monday to Wednesday.

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SPECIAL AGENT BASANEZ: Nice.

MR. HAMMOND: She was here.

SPECIAL AGENT BASANEZ: I need to, I got to talk to the girl doing the forensics. I may need to get you to sign a form for us to check these.

MR. HAMMOND: Okay.

SPECIAL AGENT BASANEZ: And I'm just going to verify with her.

[END RECORDING 150717\_001.MP3]

[START RECORDING 150717\_002.MP3]

MR. HAMMOND: I wanted to ask you if they are done with my phone so I could make a call.

SPECIAL AGENT BASANEZ: I'll find out for you.

MR. HAMMOND: All right.

SPECIAL AGENT BASANEZ: Two things. The thumb drives?

MR. HAMMOND: Yes.

SPECIAL AGENT BASANEZ: I'm going to help search those so we try to get out of here.

MR. HAMMOND: Okay.

SPECIAL AGENT BASANEZ: Damaka?

MR. HAMMOND: Uh-huh.

1  
2 SPECIAL AGENT BASANEZ: This is a consent to  
3 search computers, but it's really not a  
4 computer, it's more storage media.

5 MR. HAMMOND: Uh-huh.

6 SPECIAL AGENT BASANEZ: Storage media. I'm  
7 just going to say numerous thumb drives, silver  
8 in color, located at 678 7<sup>th</sup> Street, I'm just  
9 going to say unit A.

10 MR. HAMMOND: Okay.

11 SPECIAL AGENT BASANEZ: 17<sup>th</sup>, right?

12 MR. HAMMOND: Uh-huh. I'm also glad you guys  
13 gave us a little bit of time, I was, when you  
14 guys knocked I was on the toilet.

15 SPECIAL AGENT BASANEZ: So, this is just  
16 giving us permission to search those thumb  
17 drives. And this is actually really good that  
18 you're doing that, because it's going to show  
19 like a lot of cooperation on your part. Like I  
20 said earlier, the way it works is I'm going to  
21 write a report. I'm going to have my supervisor  
22 sign off on it. And then I'll submit that  
23 report to the prosecutor and then once the  
24 prosecutor gets this, she'll look at everything,  
25 look at my investigation, look at your truthful

1 statements and then they'll make a decision at  
2 that point, or she'll make a decision and just  
3 so you know, we have a local officer on scene  
4 and he asked if we wanted you arrested today and  
5 I said no, we did not.  
6

7 MR. HAMMOND: Okay. Thank you.

8 SPECIAL AGENT BASANEZ: The other thing,  
9 though, is I don't really offer this to  
10 everyone, but I'm offering it to you because you  
11 have been so truthful with us, but and this will  
12 be a decision up to you. You can yes or no and  
13 it's really your call. If you were to write  
14 something down then I'm required to turn that  
15 over to the prosecutor as evidence.

16 MR. HAMMOND: Okay.

17 SPECIAL AGENT BASANEZ: So to speak. So, in  
18 this case, since I'm going to be writing a  
19 report and I'm going to be explaining our  
20 conversation and memorializing it, I kind of  
21 feel like it's only fair if you have that same  
22 opportunity if you want to write something. If  
23 you don't want to write something that's up to  
24 you. But, I offer it to you because if you  
25 write stuff down and say hey, look, you know, I

1 did X, Y or Z and I feel bad about it and I'm  
2 sorry, and you know, explain like your side of  
3 the story and apologize, you know, and I give  
4 that to her that goes a long way.  
5

6 MR. HAMMOND: I will definitely do it.

7 SPECIAL AGENT BASANEZ: - -

8 MR. HAMMOND: I will definitely do it, yes.

9 SPECIAL AGENT BASANEZ: Okay. So - - I'll  
10 get him to move it right now, sir. If you want,  
11 you can just write here on this. The longer and  
12 the more detailed the better it is, you know,  
13 and showing how remorseful you are. I think it  
14 will go a long way.

15 MR. HAMMOND: Okay, thank you very much.

16 SPECIAL AGENT BASANEZ: All right.

17 MR. HAMMOND: Thank you very much.

18 SPECIAL AGENT BASANEZ: What's - -

19 MR. HAMMOND: - - that's - -

20 SPECIAL AGENT BASANEZ: A what?

21 MR. HAMMOND: Cannabis club - -

22 SPECIAL AGENT BASANEZ: Cannabis club.

23 MR. HAMMOND: It's like find a cannabis  
24 club.

25 SPECIAL AGENT BASANEZ: Is that your sister?

1 MR. HAMMOND: That's my sister.

2 SPECIAL AGENT BASANEZ: Okay. All right,  
3 who's this, man?  
4

5 MR. HAMMOND: That's Amelia. That's on  
6 Picasa, that's Amelia. That's my friend Amelia.

7 SPECIAL AGENT BASANEZ: Who is she?

8 MR. HAMMOND: She is my friend. That's an  
9 old picture.

10 SPECIAL AGENT BASANEZ: All right. I'm  
11 supposed to give that back to you.

12 MR. HAMMOND: Oh, thank you.

13 SPECIAL AGENT BASANEZ: I did not object or  
14 resist the search. The officers then questioned  
15 me about my internet usage. In full cooperation  
16 I answered all questions. The officers then  
17 asked me about my visits to child pornography  
18 sites. I was truthful when I stated - - I had  
19 previously been to some sites. I was sorry - -  
20 advised the officer that recently I had been  
21 upset with myself for viewing CP again. CP is  
22 child porn, right?

23 MR. HAMMOND: Uh-huh.

24 SPECIAL AGENT BASANEZ: Okay. Again, in  
25 attempt to remove any traces on my computer,

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1 because it was the wrong direction - -  
2 definitely didn't want to be in this situation -  
3 - one full job, one girlfriend - - relationship  
4 not destroyed - - I do have plans to make my  
5 girlfriend - - begin a healthy family - - that  
6 ambition. So, I - -

7  
8 MR. HAMMOND: Nude bodies.

9 SPECIAL AGENT BASANEZ: Nude bodies for  
10 posture for drawing. I should not have been  
11 viewing child, children and I'm sorry - - and I  
12 will not allow this to take my life away from  
13 me, because I have strived to be the best man,  
14 father, brother, uncle, son I can be at all  
15 times. I truly regret bringing myself and the  
16 family through this and my niece probably thinks  
17 I'm a monster. I really don't want her to think  
18 of me that way. I definitely don't want anyone  
19 in my circle to think - - to attest that I am  
20 not a monster after children.

21 MR. HAMMOND: I'm not a monster after  
22 children.

23 SPECIAL AGENT BASANEZ: Oh, got you, got  
24 you. I'm so ashamed. So, regretful - - and I  
25 will be responsible - - return to that life - -



1 great. The one thing I'll ask I know this is a  
2 kind of pain in the neck, anywhere that you made  
3 a scratch like a cross out, just initial so that  
4 they don't think I am the one.  
5

6 MR. HAMMOND: Yes.

7 SPECIAL AGENT BASANEZ: That scratched it  
8 out. Up here just put your initials.

9 MR. HAMMOND: This one.

10 SPECIAL AGENT BASANEZ: - -

11 MR. HAMMOND: - - this one.

12 SPECIAL AGENT BASANEZ: I think there's one  
13 here. All right, I'm going to just initial here  
14 as well. I'll use, I'll just use this pen.

15 MR. HAMMOND: Let me add one more thing to  
16 it.

17 SPECIAL AGENT BASANEZ: Okay, fine, you want  
18 to just, sign there.

19 MR. HAMMOND: Just want to add one more  
20 sentence.

21 SPECIAL AGENT BASANEZ: Yes, no problem.  
22 Thanks.

23 MR. HAMMOND: I take full responsibility for  
24 my actions and I'll be - - providing - - great.  
25 One last thing. We put all those thumb drives

1 back on your thing. So, I'm just going to put  
2 the date again.

3 MR. HAMMOND: Okay.

4 SPECIAL AGENT BASANEZ: What time do you  
5 have?

6 MALE VOICE: I got 8:10.

7 SPECIAL AGENT BASANEZ: If you don't mind  
8 signing that? That's just saying we looked  
9 through the stuff and we're not taking it.

10 MR. HAMMOND: Okay.

11 SPECIAL AGENT BASANEZ: I'm going to tell  
12 you what we are taking. I'll give you a list  
13 and a copy of the search warrant.

14 MR. HAMMOND: Okay.

15 SPECIAL AGENT BASANEZ: And then.

16 MR. HAMMOND: So, you're taking more than  
17 just the laptop.

18 SPECIAL AGENT BASANEZ: We have to take your  
19 sister's.

20 MR. HAMMOND: Oh, really?

21 SPECIAL AGENT BASANEZ: Yes, yes.

22 MR. HAMMOND: Why?

23 SPECIAL AGENT BASANEZ: Because they found  
24 some Tor stuff on there.  
25

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MR. HAMMOND: Oh, really?

SPECIAL AGENT BASANEZ: Right, I mean, we'll  
get it back to you.

MR. HAMMOND: Okay.

SPECIAL AGENT BASANEZ: If there's nothing  
on there. I'll leave my card. Let me just run  
to my car and grab the warrant real quick.

[END RECORDING 150717\_002.MP3]

C E R T I F I C A T E

I, Linda Bacheller certify that the foregoing transcript of Northern District of California Federal Public Defender - Oakland, US v. Dumaka Hammond was prepared using standard electronic transcription equipment and is a true and accurate record to the best of my ability. I further certify that I am not connected by blood, marriage or employment with any of the parties herein nor interested directly or indirectly in the matter transcribed.

Signature

Date July 27, 2016